

FINDING OF ANTHRACITE COAL STRIKE COMMISSION.

"The Union Must Not Undertake to Assume or to Interfere With the Management of the Business of the Employer."

General Increase of Wages Granted—This Is What Operators Offered at Beginning.

RECOGNITION OF UNION NOT WITHIN THIS JURISDICTION.

"No Peaceable or Law-Abiding Citizen Has Reason to Fear or Resent the Presence" of Guards or Soldiers.

MINERS LOST \$25,000,000 WAGES.

Will Take Longer to Regain This Loss Than Period Covered by Advance.

Washington, March 21.—The report of the commission appointed by the President last October to investigate the anthracite coal strike was made public today. The report is dated March 18 and is signed by all the members of the commission, who are:

Judge George Gray, of Delaware; Labor Commissioner Carroll D. Wright, and Brig. Gen. John M. Wilson, both of this city; Bishop John L. Spalding, of Illinois; Thomas H. Watkins, of Pennsylvania; Edgar W. Parker, of this city, and Edgar E. Clark, Cedar Rapids, Ia.

The report is to be illustrated and it will be accompanied by the testimony taken by the commission, but thus far only the report proper has been printed. This alone covers 87 pages of printed matter.

In brief, the commission recommends a general increase of wages amounting in most instances to 10 percent; some decreases of time; the settlement of all disputes by arbitration; fixes a minimum wage and a sliding scale; provides against discrimination of persons by either the mine owners or the miners on account of membership or non-membership in a labor union and provides that the awards made shall continue in force until March 31, 1906.

No Award on Union Question.

The commission discussed to some extent the matter of recognition or non-recognition of the miners' union, but declined to make any award on this matter.

Following is the Commission's own summary of the awards made:

"1. That an increase of 10 percent over and above the rates paid in the month of April, 1902, be paid to all contract miners for cutting coal, varding and other work for which standard rates or allowances existed at that time from and after November 1, 1902, and during the life of this award. The amount of increase under the award due for work done between November 1, 1902, and April 1, 1903, to be paid on or before June 1, 1903.

"2. That engineers employed in hoisting water shall have an increase of 10 percent on their earnings between November 1, 1902, and April 1, 1903, to be paid on or before June 1, 1903; and from and after April 1, 1903, and during the life of the award they shall have eight hour shifts, with the same pay which was effective in April, 1902, and where they are now working eight-hour shifts shall have an increase of 10 percent on the wages which were effective in the several positions in April, 1902.

Engineers and Pumpmen.

"Hoisting engineers and other engineers and pumpmen, other than those employed in hoisting water, who are employed in positions which are manned continuously, shall have an increase of 10 percent on their earnings between November 1, 1902, and

April 1, 1903, to be paid on or before June 1, 1903, and from and after April 1, 1903, and during the life of the award, they shall have an increase of five percent on the rates of wages which were effective in the several positions in April, 1902; and in addition they shall be relieved from duty on Sundays, without loss of pay, by a man provided by the employer to relieve them during the hours of the day shift.

"That firemen shall have an increase of 10 percent, on their earnings between November 1, 1902, and April 1, 1903, to be paid on or before June 1, 1903, and from and after April 1, 1903, and during the life of the award they shall have eight-hour shifts, with the same wages per day, week or month as were paid in each position in April, 1902, all employees or company men, other than those for whom the commissioner makes special awards, shall be paid an increase of 10 percent on their earnings between Nov. 1, 1902, and April 1, 1903, to be paid on or before June 1, 1903, and from and after April 1, 1903, and during the life of this award they shall be paid on the basis of a nine-hour day, receiving therefor the same wages that were paid April, 1902, for a ten-hour day. Overtime in excess of nine hours in any day to be paid at a proportional rate per hour.

Methods Of Payment.

"3. During the life of this award the present methods of payment for coal mined shall be adhered to unless changed by mutual agreement.

In all of the above awards it is provided that allowances like those made shall be paid to the legal representatives of such employees as may have died since Nov. 1, 1902.

"4. Any difficulty or disagreement arising under this award, either as to its interpretation or application, or in any way growing out of the relations of the employers and employed which cannot be settled or adjusted by consultation between the Superintendent or Manager of mine or mines, and the miner or miners directly interested, or is of a scope too large to be settled or adjusted, shall be referred to a permanent joint commission to be called a Board of Conciliation, to consist of six persons, appointed as hereinafter provided. That is to say, if there shall be a division of the whole region into three districts, in each of which there shall exist an organization representing a majority of the mine workers of such district, one of said board of conciliation shall be appointed by each of said organizations and three other persons shall be appointed by the operators, the operators in each of said districts appointing one person.

Final And Binding.

"The Board of Conciliation thus constituted shall take up and consider any question referred to it as aforesaid, hearing both parties to the controversy and such evidence as may be laid before it by either party; and any award made by a majority of such Board of Conciliation shall be final and binding on all parties. If, however, the said board is unable to decide any question or point related thereto, that question or point shall be referred to an umpire, to be appointed, at the request of said board, by one of the Circuit Judges of the Third Judicial Circuit of the United States, whose decision shall be final and binding in the premises.

"The membership of said board shall at all times be kept complete, either the miners' or operators' organizations having the right at any time when a contro-

versy is not pending, to change their representation thereon.

"At all hearings before said board the parties may be represented by such person or persons as they may respectively select.

"No suspension of work shall take place, by lockout or strike, pending the adjudication of any matter so taken up for adjustment.

"5. Wherever requested by a majority of the contract miners of any colliery, check weighmen or check contract bosses, or both, shall be employed. The wages of said check weighmen and check docking bosses shall be fixed, collected and paid by the miners in such manner as the said miners shall, by a majority vote, elect, and when requested by a majority of said miners, the operators shall pay the wages fixed for check weighmen and check docking bosses out of deductions made proportionately on earnings of said miners, on such basis as the majority of said miners shall determine.

Distribution of Cars.

"6. Mine cars shall be distributed among miners who are at work, as uniformly and as equitably as possible and there shall be no concerted effort on the part of the miners or mine workers of any colliery or collieries, to limit the output of the mines or to detract from the quality of the work performed, unless such limitation of output be in conformity with an agreement between an operator or operators and an organization representing a majority of said miners in his or their employ.

"7. In all cases where miners are paid by the car, the increase awarded to the contract miners is based upon the cars in use, the topping required, and the rates paid per car which were in force on April 1, 1902. Any increase in the size of car, or in the topping of the car, shall be accompanied by a proportionate increase in the rate paid per car.

"8. The following sliding scale of wages shall become effective April 1, 1903, and shall affect all miners and mine workers included in the awards of the commission:

"The wages fixed in the awards shall be the basis of, and the minimum under the sliding scale: "For each increase of 5 cents in the average price of white ash coal of sizes above pea coal, sold at or near New York, between Perth Amboy and Edgewater and reported to the bureau of anthracite coal statistics, above \$4.50 per ton f. o. b. the employees shall have an increase of 1 percent in this compensation, which shall continue until a change in the average of such coal works a reduction or increase in said additional compensation hereunder, but the rate of compensation shall in no case be less than that fixed in the award. That is, when the price of said coal reaches \$4.55 per ton, the compensation shall be increased 1 percent, to continue until the price falls below \$4.50 per ton, when the 1 percent increase will cease or until the price reaches \$4.60 per ton, when an additional 1 percent will be added, and so on.

Computed Monthly.

"These averages shall be computed monthly, by an accountant or commissioner, named by one of the Circuit Judges of the Third Judicial Circuit of the United States and paid by the coal operators, such compensation as the appointing Judge may fix, which compensation shall be distributed among the operators in proportion to the tonnage of each mine.

"In order that the basis may be laid for the successful work of the sliding scale provided herein, it is also adjudged and awarded: "That all coal operating companies file at once with the United States Commissioner of Labor a certified statement of the compensation paid in each occupation known in their companies as they existed April 1, 1902.

(Continued on page 5.)

COMPLETE VINDICATION

Officers and Poses in West Virginia Mining Tragedies Exonerated.

FEDERAL GRAND JURY FINDINGS IN THE CASE.

Points Out "Lawlessness Originating and Fostered by the United Mine Workers."

REPORT SENT TO PRESIDENT ROOSEVELT.

Washington, March 20.—Former Gov. Atkinson, of West Virginia, now United States District Attorney for the Southern District of West Virginia, today laid before the President the findings of the grand jury in the case of the recent conflict between the miners and Deputy Marshals at Stanaford, W. Va., in which five men were killed and many were wounded. The report of the grand jury was made to Judge B. F. Keller, of the Southern District of West Virginia, and he regarded it as so important that he felt it his duty to lay it before the Department of Justice. It was received by Acting Attorney General Hoyt and by his direction Mr. Atkinson presented it to the President.

Charleston, W. Va., March 20.—The special report of the Federal grand jury in Judge Keller's court was made public today by permission of Attorney General Knox, to whom it was taken by District Attorney Atkinson. The grand jury assigns as a reason for making a special report the fact that there had been grave violation of the law ending in bloodshed, and that wide newspaper notoriety, with gross misrepresentations, had been given the affair, and great injustice done the officers of the court. The report then continues in substance as follows:

"We have examined a large number of witnesses who were present and participated in what took place at Atkinsville on Feb. 21, which culminated in the battle at Stanaford City on the morning of Feb. 25, 1903. This evidence before us as to what occurred at Atkinsville was not only from United States Deputy Marshals, but from citizens of Raleigh county and members of the miners' union and was uncontradicted and irrefutable. On that day D. W. Cunningham, Deputy United States Marshal, went to Atkinsville to execute certain writs placed in his hands, issued from your honor's court; he was met by an armed mob and informed that he would not be permitted to execute said writs, and his life was threatened.

Mob of Armed Men.

"When he protested against such proceedings and informed them that he was an officer of the law, trying to perform his duty, the alarm bell was rung and he was immediately surrounded by an angry mob of armed men and ordered to leave the town in five minutes under penalty of death, and one of the mob threw up his gun, which was cocked, with the avowed intention of killing him and was only prevented from doing so by one of the members of the miners' union. Deputy Cunningham left the place without being able to execute any writs.

"The evidence shows that Cunningham acted throughout in a prudent and conservative manner. It further shows that the resistance was the result of a conspiracy on the part of the mine workers and their sympathizers to prevent the execution of the orders of the court at all hazards, even to the commission

of murder itself.

The evidence further shows that a crowd of men, estimated at from 200 to 300, assembled and camped on Big Mountain, that a portion of them, some 150, nearly all of whom were armed, started from there about Feb. 24, that they appeared to be under strict military discipline and were commanded by men who evidently had some military experience, that they marched from Big Mountain to Stanaford City, where they reached about night-fall Feb. 24, 1903, that they made no demonstration on the way except to hold up Ed Summers, a citizen, and shoot at him, but seemed to have a destination and were actuated by a fixed purpose which, in the light of after events, was evidently to resist the execution of the process of this court at the muzzle of the gun, to commit murder if necessary in order to carry out their unlawful design.

Surround the Village.

"Having been informed of this proceeding and having learned that the men for whom they had processes were members of the mob, Deputy Marshal Cunningham gathered together a number of men as a posse comitatus, some 20 or more, and left for Stanaford City on the evening of Feb. 24 and went to Raleigh, where he was joined by Harvey Cook, sheriff of Raleigh county, with a posse of some sixty or more men.

"The two posses, commanded by Sheriff Cook and Deputy Marshal Cunningham, arrived near Stanaford City near midnight of the 24th and arranged to surround the village about daylight and take the mob by surprise, hoping thereby to prevent resistance and bloodshed. They surrounded the town about daylight and sent squads to different houses where they believed the men for whom they had writs were staying. "The first demand of the officers for surrender and admission was at a house occupied by a negro named Stonewall Jackson. Jackson came to the door and was told that the parties there were Deputy United States Marshals and had warrants for the occupants of the house and demanded that they should surrender to the law. Jackson immediately slammed the door and when Edward D. Summers, a member of the Marshal's posse, forced it open he was fired upon by Jackson. The fire was returned by the posse and a number of shots were fired both from without and from within the house, and when the inmates finally surrendered to the officers it was found that two or three of the inmates had been killed and several were wounded. None of the officers was wounded.

Guns and Empty Shells.

"It was afterwards found that there were eleven men in the house and the officers secured seventeen guns, all of which were empty, and also found a large number of shells on the floor of the rooms where the men were.

"In the meantime the battle had been raging in other parts of the town and according to the testimony of some witnesses 1,500 to 2,000 shots were fired altogether and the evidence shows the strikers had with them a small cannon, which they carried away with them.

"It is the testimony of the witnesses that no shots were fired by any member of the posse until they had been first fired upon by the strikers; that Deputy Marshal Cunningham and Sheriff Cook positively instructed their men to use no violence nor to use their arms unless in protection of their lives, which orders, so far as the evidence before us goes, was strictly obeyed.

"Chris Evans, National Organizer United Mine Workers of America, testified that he had the entire charge and control of the United Mine Workers in the district embracing the New River and Kanawha coal fields, and that he furnished the provisions for striking miners and their families; that he was first informed of the trouble in Raleigh county on Feb. 21; that he both wrote and telegraphed to J. H. Lilly and Joseph Gilmore, United Mine Workers, on the afternoon to make no resistance

to the demands of the officers, to submit to arrest, and that arrangements had been made for bond for all of those arrested.

"The evidence shows that of the crowd camped on Big Mountain after the demonstration at Atkinsville on Feb. 21, 50 per cent. were not miners nor never had been; that those who marched from Big Mountain to Stanaford City on the 24th, 1,174, by actual count, a large number were not, nor never had been miners, but were composed of the lawless element of the community or strangers who had come in there to take advantage of the lawlessness originating and fostered by the United Mine Workers in the vicinity of the trouble."

This report is signed by all members of the grand jury and is supplemented by glowing tributes to Deputy Marshal Cunningham and Sheriff Cook.

SPRANG A SURPRISE.

Prosecution in the Coffey Murder Trial Attack Church Alibi.

PREACHER WHO CONDUCTED MEETING GIVES EVIDENCE.

Says Meeting Closed a Week Before the Murder—Nortonville Men Say So, Too.

SPEECHES BEGUN YESTERDAY AFTERNOON

Hopkinsville, Ky., March 25.—The hearing of testimony in the Coffey murder case closed this morning and arguments were begun this afternoon.

Yesterday the prosecution sprang a surprise when they introduced in rebuttal John Wilkins, of Nortonville, who testified that he lived within a short distance of the church and that the meeting closed on Sunday night, Oct. 25th, or one week before the alibi of the defense says it closed. He also stated that there were no services at the church on the night before the murder. Rev. J. F. Brown, of Marion, Ky., who was in charge of the meeting, corroborated this testimony and said he did not hear of the killing of Coffey until about Tuesday week after the meeting closed.

J. A. Barnett, of Nortonville, also testified that the meeting closed on the Sunday before the defense claims it did, and gave as a reason for his remembering the date that his wife gave birth to a child on Saturday night, Oct. 19, and that the meeting closed the following night and he heard of the murder of Coffey just a week after the birth of the child.

Chas. Trathen, of Oak Hill, also stated that the meeting closed on the night of Oct. 20, and that on Sunday after Mr. Coffey was killed there was no protracted meeting going on in Nortonville. Lee R. Melton, of Nortonville, corroborated the other witnesses as to the meeting closing on Oct. 20, instead of Oct. 27.

Hans Hanson, like a great many other plays that have graced the boards of Temple theatre, made a bad beginning and a good ending. The good sized audience was delighted with Hans and Baby Desmond and repeatedly encored their work. Hans Hanson was not the worst show we have seen.

German law permits the Saxon ex-crown princess to marry again provided she doesn't marry the man she ought to marry.

Schawb is trying to break automobile records in France. The report that he has recovered must have been unfounded.

Most of these people who invest in get-rich-quick schemes would probably laugh at a farmer who bought a gold brick.